

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JEFFREY CAMPBELL,

Petitioner,

v.

HAROLD CLARKE,

Respondent.

Case No. C05-5611RBL

ORDER ADOPTING REPORT  
AND RECOMMENDATION

The Court having reviewed the Report and Recommendation of the Hon. J. Kelley Arnold United States Magistrate Judge, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) The petition is **DISMISSED WITHOUT PREJUDICE** for the reasons set forth in the Report and Recommendation.
- (3) The clerk is directed to send copies of this Order to Petitioner, counsel for Respondent, and to the Hon. J. Kelley Arnold Strombom.

DATED this 9<sup>th</sup> day of December, 2005.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE